

not later than April 11, 2003, a spending plan for all ITA units, which incorporates any carryover balances from previous fiscal years.

Trade Missions—The conferees direct all trade missions involving Department of Commerce agencies must be initiated, coordinated and administered through ITA.

Buying Power Maintenance— The conferees direct ITA to report on the impact of exchange rate fluctuations on ITA's budget on a quarterly basis. The conferees expect that any exchange rate gains reflected in this report will be reserved to balance future exchange rate losses.

Trade Show Revenues— The conferees direct ITA to submit a report by the date of the budget submission on the amount of trade show revenues that are collected on an annual basis, expenditures from these revenues, and how they displayed in the budget.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

The conference agreement includes \$79,328,000 for the Operations and Administration of the Bureau of Industry and Security (BIS), of which

\$4,675,000 is from prior year unobligated balances. Within the total amount available, the recommendation includes the following:

Export Administration—\$33,399,000 is provided for export administration activities, of which \$1,875,000 is from prior year unobligated balances. The recommendation includes \$1,140,000 for export licensing personnel, as proposed.

Export Enforcement—\$31,122,000 is provided for export enforcement activities. The recommendation continues funding for the Dubai and Cairo attaché offices, which received initial funding in Public Law 107-117. Of which, the recommendation provides \$3,356,000 and 13 full-time equivalents to maximize legal export opportunities while ensuring that illegal exports are prevented.

BIS is expected to enhance its export control efforts, including a new initiative under which BIS will send a limited number of export enforcement agents (attachés) overseas to conduct end - use checks. The conferees direct that, prior to the assignment of any attaché at U.S. missions overseas, BIS is expected to provide a detailed report to the Committees on Appropriations detailing the location and responsibilities of each attaché. Additionally, the report should detail the arrangement between Department of Commerce and

the Department of State concerning accommodations for these personnel within Department of State facilities to ensure there is sufficient space.

The conferees direct BIS to conduct a comprehensive study on the health, competitiveness, and the contribution of the U.S. textile and apparel industry to the U.S. economy and in particular to the U.S. armed forces. The study should include a review of whether the United States is increasing its dependency on foreign sources for critical textile-related materials; potential threats to internal security from increased foreign sourcing and dependency; and whether the Berry amendment and other Buy-American restrictions are being effectively enforced by the Department of Defense. The conferees direct that the study be completed no later than July 1, 2003, and direct that \$750,000 be used for this purpose.

Management and Policy Coordination—\$6,879,000 is provided for Management and Policy Coordination, of which \$2,800,000 is from prior year unobligated balances. The recommendation includes \$500,000 for a new information technology initiative.

In addition to the amounts provided under management and policy coordination, \$7,928,000 is provided for critical infrastructure protection efforts. The conferees note that the primary responsibility for non-proliferation activities lies with the Department of Defense, the Department

of Energy and the Department of State, and believes that BIS participation in such activities should be done using funds provided from those agencies.

Language is included to rename the Bureau of Export Administration as the Bureau of Industry and Security.

ECONOMIC DEVELOPMENT ADMINISTRATION

The conference agreement includes ~~of \$330,765,000~~ ^(320,765,000) for the programs and administrative expenses of the Economic Development Administration (EDA) for fiscal year 2003, as described below:

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

^{290,000,000)} A total of ~~\$300,000,000~~ is included for fiscal year 2003 for Economic Development Assistance Programs. The conferees continue the traditional programs of the Economic Development Administration to provide needed assistance to communities struggling with long-term economic dislocation, as well as sudden and severe economic dislocation. Of the amounts ^{205,000,000)} provided, ~~\$215,000,000~~ is for Public Works and Economic Development, \$40,900,000 is for Economic Adjustment Assistance, \$24,000,000 is for ⁽⁰⁾

planning, \$9,100,000 is for technical assistance, including university centers, \$10,500,000 is for trade adjustment assistance, and \$500,000 is for research.

The conferees expect EDA to continue to assist communities impacted by economic dislocations related to coal industry downswings and timber industry downturns due to environmental concerns at no less than the fiscal year 2002 level. In addition, the conferees expect EDA to focus on communities impacted by United States-Canadian trade-related issues, communities in New England, the mid-Atlantic, Hawaii, and Alaska impacted by fisheries regulations, and communities in the Southeast impacted by downturns due to NAFTA.

The conferees remind EDA that no funding is provided for a special headquarters reserve fund.

The conferees laud EDA for its continued efforts to strengthen private sector business activity and development on Indian lands, and urges that it act expeditiously to develop an implementation plan for the recently enacted Native American Business Development, Trade Promotion, and Tourism Act.

The conferees recently approved the Economic Development Administration's headquarters reorganization plan, based upon the agency's commitment not to involuntarily terminate employees and not to increase the current number of political appointees. The conferees direct EDA to report to the Committees on Appropriations within 120 days from the date of enactment of this Act, on the status of the reorganization, including relocations.

The conferees note that EDA was reauthorized in 1999 (Public Law 105-393) through fiscal year 2003. That authorization locks into place the work that the authorization and appropriations committees have done to reform EDA programs to ensure that funds provided under this account be targeted to the most severely distressed areas, which, absent the assistance provided by the EDA, would have little to no access to resources for critical infrastructure development and capacity building. This puts the program on firm ground to carry out its purpose to provide the "seed capital" to distressed areas to allow local communities to increase their ability to create new economic opportunities and jobs in accordance with local priorities.

The conferees direct EDA to discontinue the use of single purpose grant loans.

SALARIES AND EXPENSES

The conference agreement includes \$30,765,000 for the salaries and expenses of the Economic Development Administration. The conferees continue direction to the Administration to aggressively pursue all opportunities for reimbursement, deobligations and use of non-appropriated resources, including the care and protection of collateral account, to be able to maximize the operating level.

In addition, the conferees remind EDA of the requirements under section 605 of this Act regarding reorganization proposals.

The conference agreement retains language in the bill to provide the authority to use this appropriation to monitor projects approved under Title I of the Public Works Employment Act of 1976, Title II of the Trade Act of 1974, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

The conference agreement includes \$28,906,000 for the Minority Business Development Agency (MBDA) for fiscal year 2003. Of the amounts provided, \$16,794,000 is provided for business development, and \$12,112,000 is provided for advocacy, research, and information programs. The conference agreement assumes that the Entrepreneurial Technology Apprenticeship Program (ETAP) will continue to be supported at the fiscal year 2002 level.

ECONOMIC AND INFORMATION INFRASTRUCTURE

The conference agreement includes under this section, the Department of Commerce agencies responsible for the nation's basic economic and technical information infrastructure, as well as the administrative functions to oversee the development of telecommunications and information policy.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

The conference agreement includes \$72,158,000 for the economic and statistical analysis programs of the Department of Commerce, including the

Bureau of Economic Analysis (BEA), for fiscal year 2003. Due to the Nation's economic situation, the conferees support the request to ensure policy makers have access to better and timely economic data. Therefore, the recommendation includes \$4,776,000 to accelerate the release of major economic indicators; \$2,116,000 to improve the processing systems used for statistical processing; and \$2,751,000 to allow the United States to meet international agreements including the North American Free Trade Agreement.

The Economic and Statistics Administration (ESA) is responsible for the collection, tabulation and publication of a wide variety of economic, demographic and social statistics and provides support to the Secretary of Commerce and other Government officials in interpreting the state of the economy and developing economic policy. The Bureau of Economic Analysis and Under Secretary for Economic Affairs are funded in this account.

Bureau of the Census

The conference agreement includes a total operating level of \$596,299,000 for the Bureau of the Census, of which \$41,817,000 is from prior year unobligated balances from the 2000 Census.

Salaries and expenses

The conference agreement includes \$183,000,000 for the salaries and expenses of the Bureau of the Census for fiscal year 2003. The agreement includes \$128,234,000 for current economic statistics, and \$54,766,000 for current demographic statistics. The conferees direct the Bureau to continue to streamline and prioritize programs to ensure the highest priority core activities are supported. The conferees expect the Bureau to be fully reimbursed for any non-core survey by any other Federal agency or private organization.

In addition, the conferees are concerned that key reports on manufacturing, general economic and foreign trade statistics are maintained and issued on a timely basis.

This recommendation provides for the current statistical programs of the Bureau of the Census, which includes measurement of the Nation's economy and the demographic characteristics of the population. These

programs are intended to provide a broad base of economic, demographic, and social information used for decision-making by governments, private organizations, and individuals.

Periodic Censuses and programs

The conference agreement includes a total of \$413,299,000 for all periodic censuses and related programs funded under this heading in fiscal year 2003. Of the amounts provided, \$41,817,000 is to be derived from prior year unobligated balances.

2000 Decennial Census Program – The recommendation includes an operating level of \$83,710,000, of which \$41,817,000 is from prior year obligations for the final year of activities relating to the 2000 decennial census.

The recommendation includes the following:

(Dollars in thousands)

Decennial Census 2000

Program Development & Mgmt	\$ 3,461
Data Content & Product	42,651

Field Data Collection*	4,630
ADP & Telecommunications	12,826
Testing and Evaluation	16,333
Puerto Rico, Virgin Islands & Islands	2,472
Marketing, Communications & Partner	1,337
<u>Minus Deobligations/Unobligations</u>	<u>(41,817)</u>
Total, Decennial Census (Direct)	\$41,893

Decennial Census 2010:

Operational Design Strategy	6,353
Data Collection Design	2,804
Questionnaire & Content Design	1,573
System Design & Software	7,220
Address List Updates	943
<u>Test/Evaluation</u>	<u>22,982</u>
Re-engineered Design Process	\$ 41,875
American Community Survey**	\$ 57,131
Modern Processing Environment	11,562

Geographic Partnership Programs	5,447
Evaluation	3,050
Street Address Location Correction	20,741
<u>Community Address Updating System</u>	<u>6,500</u>
MAF/TIGER	\$47,300
Grand Total, Decennial Census	\$146,306

Periodic Census

Economic Censuses	87,392
<u>Census of Governments</u>	<u>6,556</u>
Subtotal, Economic Programs	\$ 93,948

Demographic Statistics Programs

Intercensal Demographic Estimates	9,079
Demographic Survey Sample Design	12,583
Electronic Information Collection	6,254
Geographic Support	37,624
<u>Data Processing Systems</u>	<u>23,795</u>
Subtotal, Demographic Programs	\$ 89,335

*The fiscal year 2003 budget request included \$9,500,000 for an anticipated worker's compensation payment due to the Department of Labor. To date, no justification has been provided to substantiate this request. No funding is provided for this purpose.

** The budget request includes a total of \$123,866,000 for the American Community Survey. The Census Bureau has proposed to alter the current process of conducting the decennial census. The current proposal is to abolish the long-form survey, but continue the short form survey as part of the 2010 census and replace the long-form survey with an annual survey of 3,000,000 households. The current proposal would require the American Community Survey to be considered a mandatory requirement for those households being surveyed. The conferees acknowledge that sufficient information is not available to weight the benefits of a mandatory survey versus a voluntary survey. Therefore, the conferees include \$1,000,000 to test the response rates of both a voluntary and a mandatory survey. The conferees direct the Secretary of Commerce to report to the Committees on Appropriations as soon as the results of the study are available.

Subgroup Enumeration - The conferees understand the Census Bureau continues to face difficulty in accurately enumerating Hispanic subgroups

and urges the Census Bureau to continue to work to address these concerns in preparation for the decennial census.

Hiring- The conferees recommend that the Census Bureau move decisively to improve the representation of minorities in senior management at the Census Bureau and to improve the representation of minorities in all areas of research. The conferees suggest that the Census Bureau take advantage of the Presidential Management Intern program and the Joint Program on Survey Methodology to achieve these goals.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

The conference agreement includes a total of \$73,759,000 for the National Telecommunications and Information Administration (NTIA) for fiscal year 2003.

The National Telecommunications and Information (NTIA) is responsible for developing domestic and international telecommunications and information policy for the Executive Branch, ensuring the efficient and effective use of the Federal radio spectrum, and administering Federal programs that supports telecommunications facilities for public broadcasting.

SALARIES AND EXPENSES

The conference agreement includes \$14,700,000 for the Salaries and Expenses appropriation of the National Telecommunications and Information Administration (NTIA).

The conference agreement includes \$625,000 and two full-time equivalents to improve NTIA's management of the Federal spectrum. Due to fiscal constraints, no additional funding is provided to upgrade existing facilities on the Table Mountain radio quiet zone. The conferees direct the Administration to aggressively pursue all opportunities for reimbursement, deobligations, and use of non-appropriated resources, to be able to maximize the operating level for this purpose.

The conference agreement assumes an additional \$26,270,000 will be available to the NTIA through reimbursements from other agencies for the costs of providing spectrum management, analysis and research services to those agencies, reflecting implementation of a policy of 80% reimbursement for such services that began in fiscal year 1999.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

The conference agreement includes \$43,556,000 for planning and construction grants for public television, radio, and non-broadcast facilities. This amount will allow the continuation of the existing equipment and facilities replacement program.

Challenges are particularly great for those broadcasters who are located in, or who serve, largely rural areas. As in past years, the conferees continue to urge NTIA to place emphasis on the needs of these stations, and to support focusing resources on distance learning initiatives targeting rural areas.

INFORMATION INFRASTRUCTURE GRANTS

The conference agreement recommends \$15,503,000 for the Information Infrastructure Grant program for demonstrations of new telecommunications technology applications. The recommendation is the same as the fiscal year 2002 funding level. The accompanying bill does not include language to terminate the program, as proposed.

The conferees note that there is some overlap between this program and technology programs under the Department of Justice, Community Oriented Policing Services and the Regional Information Sharing System with respect to grants for public safety. The conferees expect NTIA to give preference to applications relating to public safety only when there is no other source of funding available for such applications.

The conferees retain language making the funds provided under this heading available for program administration and related program support activities at the fiscal year 2002 level. The bill also includes language carried in previous appropriation acts which will allow up to five percent of this appropriation to be available for telecommunications research activities directly related to the development of a national information infrastructure (NII).

United States) — PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

The conference agreement includes ~~\$1,186,000,000~~^(1,182,000,000) for the United States Patent and Trademark Office (USPTO) in fiscal year 2003. The

recommendation does not include the Administration's proposed language establishing a new fee structure to significantly increase fees for both trademark and patent applications resulting in additional fee collections of \$197,000,000. To date, the fee structure changes and many of the other changes outlined in the 21st Century Strategic Plan have not been authorized.

In fiscal year 2002, the Congress directed the PTO to develop a 5-Year Strategic Plan for the PTO with three core objectives: (1) prepare the agency to handle the workload associated with the 21st century economy, (2) improve patent quality, and (3) reduce patent and trademark pendency.

The 21st Century Strategic Plan calls for some of the most sweeping changes to the patent review process in 200 years.

The conferees support efforts to shift resources to high priority areas and a more gradual increase in staffing to ensure that examiners have the expertise, tools, and training necessary to produce quality patents on a timely basis. This approach is consistent with the outline of the 21st Century Strategic Plan released in June 2002.

1,015,229,000

Of the amount recommended in the bill, ~~\$1,019,229,000~~ is to be derived from offsetting fees collected in fiscal year 2003 and \$166,771,000 is to be derived from carryover funds from prior years. Of the amounts

provided, \$14,000,000 is for the completion of the trademark electronic processing system; and \$4,499,000 is for increased workload costs and continued implementation costs of electronic patent filing system.

Within the amounts available, the conferees expect that USPTO continue its relationship with the National Inventor's Hall of Fame and Inventure Place, and the International Intellectual Property Institute at least at the same level as in fiscal year 2002.

The conferees understand that funding for a global intellectual program provided in fiscal year 2002 was not obligated. Therefore, the conferees direct USPTO to use prior year funding to offset any additional costs necessary to maintain the above-mentioned partnerships. The conferees remind the USPTO that any changes from the funding distribution provided in the bill and report, including carryover balances, are subject to the standard reprogramming procedures set forth in section 605 of this Act.

In addition, USPTO is directed to submit to the Committee, not later than April 11, 2003, a spending plan, which incorporates any carryover balances from previous fiscal years and any increase to the patent or trademark fee structure.

The conferees commend USPTO for its successful trademark telework program in support of section 359 of Public Law 106-346. Yet, despite this successful program, the patent employees are not gaining the benefits of a similar program. The conferees understand that telework programs can significantly help to alleviate crowded highways in the greater Washington area. Further, the private sector has shown that these programs can increase the performance and morale of employees. Therefore, the conferees direct the USPTO to provide a report to the Committees on Appropriations, not later than April 11, 2003, containing a detailed plan to implement a telework program for patent employees, including examiners.

The USPTO is charged with administering the patent and trademark laws of the United States. USPTO examines patent applications, grants patent protection for qualified inventions; and disseminates technological information disclosed in patents. USPTO also examines trademark applications and provides Federal registration to owners of qualified trademarks.

SCIENCE AND TECHNOLOGY

The conference agreement includes under this section of Title II the Department of Commerce agencies responsible for scientific and technological research and programs.

TECHNOLOGY ADMINISTRATION

~~OFFICE OF TECHNOLOGY POLICY~~

SALARIES AND EXPENSES

The conferees recommend \$9,886,000 for the Technology Administration's Office of the Under Secretary/Office of Technology Policy. Of the amounts provided, \$1,000,000 is for the Global Technology Summit, and \$1,000,000 is for the Networked Economy Summit.

The conferees did not support the proposed language making a portion of the funding under this account available until expended.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

The conference agreement includes \$712,134,000 for the appropriations accounts under the National Institute of Standards and Technology (NIST) for fiscal year 2003.

A description of each account and the Committee recommendation follows:

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

The conference agreement includes \$359,411,000 for the Scientific and Technical Research and Services (core programs) appropriation of the National Institute of Standards and Technology.

The following is a breakdown of the amounts provided under this account by activity.

	FY03
	<u>Recom.</u>
Electronics & Electrical	45,731
Manufacturing Engineering	21,128
Chemical	40,313

Physics	35,500
Building and Fire Research	21,542
Materials Science & Engineering	56,532
Computer Applied Mathematics	53,078
Technology Assistance	17,679
Baldrige Quality Awards	5,205
<u>Research Support</u>	<u>62,703</u>
Total, STRS	\$359,411

Under the Building and Fire Research heading, the recommendation includes \$2,500,000 for a wind research project, \$3,000,000 for research efforts related to the World Trade Center collapse investigation.

Under the Computer and Applied Math heading, the recommendation includes \$1,000,000 for expert review teams, \$2,100,000 for wireless technologies and computer security checklists and guidelines, and \$500,000 in support of voting machine standards.

Under the Chemical Science and Technology Program heading, the recommendation includes \$1,000,000 to restore reductions in environmental measurements at the Hollings Marine Laboratory.

Under the Electronics and Engineering heading, \$3,000,000 is for salaries associated with the Office of Law Enforcement Standards to ensure that NIST has the critical personnel with the expertise to implement law enforcement standards initiatives proposed by their partner federal agencies.

In addition, under the Research Support heading, the recommendation includes \$2,400,000 for a telework project, \$6,500,000 for a certain critical infrastructure program, and includes \$15,000,000 for the Advanced Measurement Laboratory in Gaithersburg, Maryland.

Further, the conferees have heard reports that U.S. companies may not be as competitive as non-U.S. companies in emerging markets because U.S. standards are not incorporated in many international agreements. The conferees request NIST with input from the ITA, to provide to the Committees on Appropriations, no later than April 11, 2003, a plan detailing efforts that ensure U.S. business interests are represented in new international standard negotiations.

Competitive sourcing. The conferees understand that there are efforts within the Department of Commerce and other Departments, to use the implementation of the President's Management Initiative for Competitive Outsourcing (the A-76 process) as a way to reduce staff by more than 50

percent. This initiative is designed to compete or directly convert 15 percent of those positions identified as commercially competitive. However, the conferees understand that efforts are underway to identify roughly 75 percent of NIST's positions as commercial for purposes of this initiative. While the conferees certainly agree that there are certain advantages to competitive outsourcing, there is a concern that blind implementation could severely inhibit the operations of the Institute in the future. The conferees direct NIST to provide a detailed plan to the Committees on Appropriations prior to any changes in support of "competitive outsourcing".

For more than a century, the scientists, engineers, and supporting organizations of the Institute have established standards that affect nearly every aspect of life and work in America, from the doses of radiation in medical X-rays to the level of protection in bullet-proof vests used by police officers. NIST's mission plays an ever more critical role today by supporting our homeland security efforts through the development of standards for mail irradiation, guidelines for cyber security for Federal IT systems, and by conducting the Federal investigation of the collapse of the World Trade Center buildings.

The recommendation does not include a requested increase to the allowable amount to be transferred to the working capital fund.

Industrial Technology Services

The conference agreement includes \$286,623,000 for the Industrial Technology Services appropriation of the National Institute of Standards and Technology.

Manufacturing Extension Partnership Program - Recent economic downturns have had a devastating effect on the manufacturing sector. Therefore, to ameliorate some of the effect on this sector, the conferees have included \$106,623,000 for the Manufacturing Extension Partnership Program to fund all existing centers.

Advanced Technology Program – The conference agreement includes \$180,000,000 for the program, of which \$60,700,000 is for new awards. This amount, when combined with approximately \$34,000,000 in prior year funds, provides ATP awards at the fiscal year 2002 level. Within the amounts made available, \$45,000,000 shall be used for administrative costs, internal laboratory support, and for Small Business Innovation Research Program requirements.

CONSTRUCTION OF RESEARCH FACILITIES

The conference agreement includes \$66,100,000 for construction, renovation, and maintenance of NIST facilities. Of ~~this~~ ^{the} amounts provided, \$11,090,000 is for urgently needed construction and renovation projects at the Boulder, Colorado laboratory, including a new primary electrical service and the first phase of the central utility plant, these investments should help minimize the number of brownouts affecting the campus; \$4,000,000 is to offset fit-up costs related to the Advanced Measurement Laboratory in Gaithersburg, Maryland, to be completed by December 2003; and \$22,194,000 for the backlog of safety, capacity, maintenance, and major repair projects account for the two NIST campuses.

The conferees direct NIST to report to the Committees on Appropriations on the progress of these construction projects on a quarterly basis.

Up to \$282,000 is available to transfer to the working capital fund, as proposed.

This account supports all NIST activities by providing the state of the art facilities necessary to carry out the NIST mission.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The conference agreement includes a total of \$3,154,551,000 for necessary expenses for the seven appropriation items of the National Oceanic and Atmospheric Administration (NOAA), including transfers totaling \$65,000,000.

Of the amounts provided, \$479,201,000 is provided in support of the separate conservation category created in Title VIII of the Interior and Related Agencies Appropriations Act, 2001.

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement includes \$2,316,519,000 for the coastal, fisheries, marine, weather, satellite, and other NOAA programs funded in this account. The agreement includes a transfer of \$65,000,000 from balances in the account entitled, "Promote and Develop Fishery Products and Research Pertaining to American Fisheries". The recommendation assumes deobligations of \$17,000,000, as proposed, and \$3,000,000 from prior year receipts relating to the coastal zone management program.

The bill continues language to allow NOAA to retain gifts and contributions made under the Marine Sanctuary Program. The conferees continue to direct NOAA to fully utilize the authorities provided for this program.

Language is also included in the bill specifying the total amount of direct obligations available for each of the NOAA line offices and other related activities funded through this account. The conferees continue to take this action to provide greater clarity and accountability in budgeting and management for the diverse activities funded in this account. In addition, the bill also retains language regarding the practice of assessing NOAA line organizations, programs, projects, and activities, to support NOAA and line office overhead and programs over and above the amounts specifically provided, and regarding the funding and personnel in Executive Direction and Administration. The conference agreement caps administrative expenses at \$243,000,000. NOAA is directed to submit a spend plan to the Committees on Appropriations for these expenses at a level of detail comparable to that of the House and Senate NOAA tables. The plan shall be delivered not later than March 15, 2003.

The conferees remind NOAA that administrative charges levied against certain activities assigned in the bill are limited to no more than five percent. In addition, language is also included regarding use of deobligations in excess of amounts estimated in the budget.

In addition to the direction given in this section of the report, the conferees direct NOAA to comply with sections addressing the reprogramming and transfer requirements under Section 204 of this Act.

The following identifies the activities, sub-activities, and projects funded in this appropriation.

NATIONAL OCEAN SERVICE (\$ IN THOUSANDS)	FY03 Conference Agreement
Navigation Services	
Mapping & Charting	
Mapping & Charting Base	37,183
Coastal Storms	1,000
Joint Hydrographic Center	4,250
Joint Hydrographic Center - Bathymetric Research	3,200
Electronic Navigation Charts	3,350
Shoreline Mapping	2,000
Address Survey Backlog/Contracts	20,450
MS/LA Digital Coast	500
Vessel Lease/Time Charter	7,500
Subtotal, Mapping and Charting	79,433
Geodesy	
Geodesy Base	20,612
National Spatial Reference System	250
Height Modernization Study - NGS Implementation	250
Height Modernization Study NC	1,000
Height Modernization Study CA	1,000
Height Modernization Study WI	500
Height Modernization Study MS	500
Geodetic Survey- LA	500
S. Carolina Geodetic Survey	500
Subtotal, Geodesy	25,112
Tide & Current Data	
PORTS	13,250
Great Lakes NWLON	3,000
Coastal Storms	2,000
Upper Cook Inlet Tidal Research	1,000
Subtotal, Tide & Current Data	500
	19,750
Total, Navigation Services	124,295

NATIONAL OCEAN SERVICE (\$ IN THOUSANDS)	FY03 Conference Agreement
Ocean Resources Conservation and Assessment	
Ocean Assessment Program (OAP)	
Ocean Assessment Program Base	13,721
Coastal Observation Technology System	1,700
Center for Integrated Marine Technologies	2,000
Alliance for Coastal Technologies	3,000
Center for Coastal Ocean Observation & Analysis	2,500
Carolina Coastal Ocean Observing and Prediction System	2,500
Wallops Ocean Observation Project	1,401
Lake Pontchartrain	2,000
Sarasota Bay - Mote	750
Coastal Marine Research & Monitoring Program	1,200
Coastal Storms	750
Beaufort, NC	1,500
Oxford, MD	1,400
Pfiesteria Research and HAB Rapid Response	4,000
Coastal Services Center	19,000
Pacific Coastal Center	2,000
Harmful Algal Blooms	5,000
CI-CORE	1,000
Coastal Watershed Groundwater Assessment NH	500
CREST	500
Harmful Algal Bloom Task Force SC	600
Aquatic Research Consortium MS	2,500
Coop Institute for Coastal and Estuarine Enviro Tech	6,550
Hawaii Coral Reef Initiative	1,000
Puerto Rico Coral Reef Initiative	500
National Coral Reef Institute - Florida	500
Coral Reef Program	12,000
National Fish and Wildlife Foundation - NFWF	1,500
South Florida Ecosystem	900
JASON Education and Outreach	2,500
Subtotal, Ocean Assessment Program (OAP)	94,972

NATIONAL OCEAN SERVICE (\$ IN THOUSANDS)	FY03 Conference Agreement
Response and Restoration Response and Restoration Base Estuarine and Coastal Assessment Estuarine Restoration Program Damage Assessment Program Oil Pollution Act of 1990 Coastal Protection and Restoration Project Spill Response and Restoration Program Aquidneck Island Aquatic Resource Environmental Initiative Marine Debris Removal SC Edisto Beach Marsh Restoration Water Control Impoundments SC Coastal Remediation Technology	4,641 2,670 1,200 5,200 1,000 1,000 2,000 600 5,000 175 100 700 750
Subtotal, Response and Restoration	25,036
Oceanic and Coastal Research Oceanic and Coastal Research Base Fish Forensics/Enforcement MERHL Murrell's Inlet Special Area Gulf of Alaska Ecosystem Monitoring Prince William Sound Science Center Pfiesteria/Toxins Research	6,293 1,300 4,000 200 750 500 1,000
Subtotal, Ocean and Coastal Research	14,043
Coastal Ocean Science Coastal Ocean Program Base ECOHAB Long-term Estuary Assessment Consortium Hypoxia South Florida Ecosystem Long Island Sound Coast Observing System	12,096 4,200 1,200 1,085 1,200 210
Subtotal, Coastal Ocean Science	19,991
Total, Ocean Resources Conservation & Assessment	154,042

NATIONAL OCEAN SERVICE (\$ IN THOUSANDS)		FY03 Conference Agreement
Ocean and Coastal Management		
Coastal Management		
CZM Grants		68,963
CZMA Program Administration		6,483
National Estuarine Research Reserve System		16,400
Nonpoint Pollution Implementation Grants		10,000
Marine Protected Areas		4,000
Subtotal, Coastal Management		105,846
Ocean Management		
Marine Sanctuary Program		
Marine Sanctuary Program Base		33,000
Northwest Straits Citizens Advisory Commission		750
Subtotal, Ocean Management		33,750
Total, Ocean and Coastal Management		139,596
GRAND TOTAL, NATIONAL OCEAN SERVICE - ORF		417,933

NATIONAL OCEAN SERVICE

The conference agreement includes a total of \$417,933,000 for activities of the National Ocean Service (NOS) for fiscal year 2003.

Mapping and Charting — The recommendation includes \$79,433,000 for mapping and charting activities. The conferees include \$20,450,000 to address the hydrographic survey backlog detailed in the *National Survey Plan*. The recommendation is consistent with the conferees decision that at least 50 percent of the hydrographic surveying should be contracted out to private companies. The conferees direct NOAA to report to the Committees on Appropriations within six months after the enactment of this Act on the progress being made to reduce the backlog.

Of the amounts provided for mapping and charting activities, the conferees include \$7,500,000 to allow NOAA to continue its efforts to lease or charter a U.S.-purpose-built U.S. flag hydrographic survey vessel, which is capable of performing the full scope of necessary hydrographic services. The conferees expect the vessel to be equipped with a suite of state-of-the-art survey equipment capable of providing quality data from inshore waters to full ocean depth. The conferees direct NOAA to examine lease and

charter options of longer than one-year, which may reduce the annual cost. The conferees direct NOAA to award the time charter contract on its current schedule and report by no later than April 11, 2003, on options for increasing the length of a lease or charter and whether savings might result from such an increase. In addition, NOAA is expected to follow the requirements of Section 303(b)(3) of the Hydrographic Services Improvement Act and contract for hydrographers on any leased or chartered vessel in accordance with title IX of the Federal Property and Administrative Services Act of 1949. Finally, the conferees adopts NOAA's proposal to hire a vessel that is capable of work in both the Gulf of Mexico and the Alaska waters. The conferees understand that the leased or chartered vessel will begin its work in the Gulf of Mexico no later then April 2003, but would survey in Alaska from April 1, 2004, through November 1, 2004. After that, the conferees expect the total vessel time to be split between the Gulf of Mexico and Alaska.

Of the amounts provided, \$3,200,000 is for bathymetric surveys off the Northeast Coast of the United States and around the Aleutian Chain in accordance with the data needs identified by a Joint Hydrographic Center on the potential expansion of United States lands beyond the Exclusive Economic Zone. Within the funding recommendation for

Shoreline Mapping, the conferees recommend that NOS focus on mapping the shoreline of the North Slope of Alaska.

Geodesy. – The conferees understand the State of Alabama has begun an effort to develop a comprehensive statewide Geographic Information System database and clearinghouse that will reduce duplication of resources among state agencies, improve quality, and reduce costs. The National Geodetic Survey has begun talks with representatives of the State of Alabama, including the Alabama Department of Revenue, on this effort and the conferees encourage the National Geodetic Survey to continue to support this effort as appropriate.

Tide and Current Data. —The conferees include \$19,750,000 for this activity. The recommendation will enable NOS to implement and maintain the necessary quality controls for real-time tide and current data systems. Funding is included to continue implementation of the Physical Oceanographic Real-Time System (PORTS) program and continues the National Water Level Operation Network (NWLON) in the Great Lakes.

Coral Reefs. – Prior to obligation of the funding provided for this program, the conferees direct NOAA to submit a spending plan to the House

and Senate Committees on Appropriations. A total of \$14,000,000 is provided for this program, of which \$2,000,000 is from unobligated prior year balances.

Ocean and Coastal Observing Systems. – The conferees support the establishment of an integrated interagency ocean and coastal observing system that will provide critical information to a wide variety of users of ocean and coastal information and services. Better information on the current and future state of the ocean and its role in environmental change is needed for policy makers. Adequate predictive capability is a prerequisite to the development of sound policies at the national and regional level, policies ranging from maritime commerce to public health, from fisheries to safety of life and property, from climate change to national security.

Broad scale discussions have been underway for almost three decades on this topic, but coordinated attention at the Federal level has begun in earnest only in recent years. The Office of Science and Technology Policy was directed to develop an interagency plan for the research, technology demonstration, and ultimately, the implementation of an integrated ocean observing system. The conferees direct NOAA to work with its partners on

the National Ocean Research Leadership Council to submit a plan by June 30, 2003, to the Committees on Appropriations. This plan will detail an implementation strategy for the establishment of an integrated ocean and coastal observing system. This plan shall, at a minimum: (1) include an interagency governance structure; (2) define the roles and responsibilities of each agency in implementing and operating the system; (3) provide multi-year funding estimates by agency; and (4) include a process for regional coordination and technical support to ensure development of integrated regional systems with a national observing initiative.

In addition, as development of an integrated long-term Federal plan proceeds, the conferees urge NOAA to coordinate existing or planned regional coastal observing systems, particularly those for which funding has been provided or those which use Federal platforms such as buoys. The conferees direct NOAA to utilize the data management and technical expertise of the Coastal Services Center to perform this function as well as provide education and outreach to participating Federal agencies, academic institutions, State agencies, and other interests.

Ocean Health Initiative. – One area where coastal observing systems would be useful is in exploring the relationship between the oceans and human health. In 1999, a National Research Council report, From

Monsoons to Microbes: Understanding the Ocean's Role in Human Health, focused attention on the implications of ocean phenomena for human health. The phenomena include climate change, weather events, coastal hazards, infectious diseases, and harmful algal blooms. As the nation faces increasing coastal pressures and scientists identify changes in coastal systems, including sentinel species such as dolphins and fish, NOAA is uniquely positioned to play a strong role in identification, prediction, and prevention of such changes. In addition, genetic and other characteristics of marine organisms can be used for medical advances and NOAA can help build a bridge between marine scientists and human health experts.

The conferees direct the Under Secretary to establish an Ocean Health Initiative to coordinate and focus agency activities on critical areas of concern and identify critical gaps in coverage. Of the amounts provided, \$8,000,000 is for critical research and projects aimed at closing identified gaps. The conferees direct NOAA to: (1) work with the NSF and the National Institute of Environmental Health Sciences in developing a joint program that builds on and complements existing NOAA programs; (2) establish an external peer reviewed grant process; and (3) provide for the selection and funding of internationally recognized "distinguished" scholars

to work in collaboration with NOAA researchers. NOAA will submit a spend plan for approval by the Committees on Appropriations before program funding is obligated.

Coastal Ocean Program. —The conferees direct the program to work with and continue its current levels of support for the Baruch Institute's research and monitoring of small, high-salinity estuaries and to continue its current levels of support for the LUCES program. Within the funds provided for the MERHL, the conferees direct NOAA to create a scientific and professional position to act as senior scientist for NCCOS.

Aquatic Resources Initiative— Of the amounts available provided under this heading, up to \$750,000 is for Bluegrass Pride, Inc.

Coastal Zone Management — A total of \$75,144,000 is provided to assist coastal states in implementing this program. The Committee continues its' direction to report on the measures of performance used to justify requesting funding for this program. Bill language, carried in prior years, has been modified.

Marine Sanctuary Program — \$34,750,000 is provided for this program, of which \$1,000,000 is from unobligated balances. Under this heading, the recommendation includes \$750,000 for the activities of the Northwest Straits Citizens Advisory Commission. This Commission was established to provide an ecosystem focus on the marine resources in the area, mobilize science and support marine resource committees, and establish a forum for coordination and consensus building, in lieu of Federal designation of the area as a Marine Sanctuary. The conferees continue to believe that such a consensus-based approach is an innovative and novel approach to promote marine conservation, the goal of the Marine Sanctuary Program.

National Centers for Coastal Ocean Science (NCCOS) - The conferees are aware that the National Centers for Coastal Ocean Science (NCCOS) for several years have been cutting base funds without Congressional approval from certain labs that received specified program increases. The Conferees direct the NCCOS to stop this practice immediately. Further the Conferees direct NCCOS to report to the Committees on Appropriations no later than April 15, 2003 on what purposes the funding from the reductions was used and on the steps being taken to restore the cuts to base that have been sustained by those labs.

NATIONAL MARINE FISHERIES SERVICE	FY03 Conference Agreement
Fisheries Research and Management Services Science and Technology Base AKFIN Alaska Fisheries Development Foundation Alaska Groundfish Monitoring Alaska Groundfish Monitoring - Bering Sea Fishermen's Association CDQ Alaska Groundfish Monitoring - NMFS Field Fishery Monitoring Alaska Groundfish Monitoring - NMFS Rockfish Research Alaska Groundfish Monitoring - Winter Pollock Survey Alaskan Groundfish Surveys Alaskan Groundfish Surveys - Calibration Studies American Fisheries Act Implementation Atlantic Herring and Mackarel Bering Sea Pollock Research Bluefin Tuna Tagging (UNH) Bluefin Tuna Tagging (Monterey) Bluefish/Striped Bass Charleston Bump Billfish Tagging Chinook Salmon Research at Auke Bay Computer Hardware and Software Cooperative Research - National Cooperative Research Cooperative Research - NE Cooperative Research Cooperative Research - Cooperative Marine Education & Research Cooperative Research - SE Cooperative Research Cooperative Research Northeast Consortium Driftnet Act Implementation Driftnet Act Implementation/Pacific Rim Fisheries Driftnet Act Implementation/Science Observer Russian EEZ Expand Stock Assessments - Improve Data Collection Fish Statistics - Atlantic States Marine Fisheries Commission Fish Statistics - Economics & Social Sciences Research Fish Statistics - National Standard 8 Fish Statistics Fisheries Development Program - Hawaiian Fisheries Development Fisheries Development Program - Product Quality and Safety/Seafood Inspection FMP Extended Jurisdiction, State of Alaska GULF FIN Data Collection Effort	69,290 3,200 925 2,087 175 473 300 340 1,000 661 240 3,525 200 945 850 425 1,527 150 300 3,492 1,050 3,750 200 3,250 5,000 1,800 150 250 17,000 2,000 2,500 1,000 13,900 750 8,685 1,500 3,500

NATIONAL MARINE FISHERIES SERVICE	FY03 Conference Agreement
<ul style="list-style-type: none"> Gulf of Maine Groundfish Survey 567 Gulf of Mexico Consortium 2,750 Halibut Data Collection 450 Hawaii Seafood Safety and Inspections 800 Hawaii Stock Management Plan 500 Highly Migratory Shark Fishery Research Program 1,850 Horseshoe Crab Research 650 Information Analysis and Dissemination 21,490 JIMAR 2,475 Lobster Sampling 150 Magnuson Stevens Implementation off Alaska 4,350 MARFIN 2,500 MARFIN - NE Activities 250 MARFIN Red Snapper 500 MarMap 850 Massachusetts Fishery Institute 500 Steller Sea Lion/Pollack Research North Pacific Council and Management 2,000 New England Stock Depletion 1,000 NMFS Facilities Maintenance 4,325 Observers - Fishery Observers 750 Observers/Training - Atlantic Coast Observers 3,350 Observers/Training - East Coast Observers 350 Observers/Training - Hawaii Longline Observer Program 3,000 Observers/Training - N. Pacific Marine Resources Observers 1,875 Observers/Training - N. Pacific Observer Program 800 Observers/Training - West Coast Observers 3,730 PACFIN Catch Effort Data 3,000 Pacific Highly Migratory Species Research 750 Recreational Fishery Harvest Monitoring RECFIN 3,450 Recreational Fishery Harvest Monitoring RECFIN - SC 500 Red Snapper Monitoring and Research 5,000 SEAMAP 1,400 Shrimp Pathogens South Carolina 450 South Carolina Taxonomic Center 500 VA Trawl Study 375 West Coast Groundfish 5,220 	
Subtotal, Science and Technology	238,847

NATIONAL MARINE FISHERIES SERVICE

	FY03 Conference Agreement
Conservation and Management	
Base	8,583
Alaska Near Shore Fisheries State of Alaska	1,000
American Fisheries Act	2,174
American Fisheries Act - N. Pacific Council	499
American Fisheries Act - National Standards 4 and 8 State of Alaska	499
Anadromous Fish Commission -- North Pacific	750
Anadromous Grants	2,100
Bering Sea Crab State of Alaska	1,000
Gulf of Alaska Coastal Communities Coalition	375
Columbia River Facilities	3,365
Columbia River Hatcheries - Monitor, Evaluation and Reform	1,700
Columbia River Hatcheries and Facilities	11,457
Cooper River Corridor Management	125
Driftnet Act Implementation/State Participation - AK/WA	200
Fisheries Management Programs	27,657
Halibut/Sablefish	1,200
Hawaiian Community Development	500
Interjurisdictional Fisheries Grants	2,590
International Fisheries Commission State of Alaska	400
Interstate Fish Commissions - 3 Commissions	750
Interstate Fish Commissions - Atlantic Cooperative Management	7,250
Louisiana Oyster Assistance	2,000
Magnuson Stevens Implementation off Alaska	2,050
Management of George's Bank	478
National Environmental Policy Act	5,000
Pacific Salmon Treaty	5,612
Pacific Salmon Treaty - Chinook Salmon Agreement	1,844
Refine EFH Designations	500
Regional Councils	14,500
SCORE--NH/FL	1,000
South Carolina Seafood Marketing	500
South Carolina Shrimper Assistance	1,500
Yukon River Chinook Salmon State of Alaska	1,000
Yukon River Chinook Salmon - Yukon River Drainage Fisheries Assoc	499
Subtotal, Conservation and Management	110,657
Total, Fisheries Research and Management Services	349,504

NATIONAL MARINE FISHERIES SERVICE

FY03
Conference
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Protected Resources Research and Management Services	
Science and Technology	
Base	9,045
Antarctic Research	1,550
Atlantic Salmon Research	710
Bottlenose Dolphin Research	2,000
Columbia River Endangered Species Studies	299
Conservation & Recovery with States	1,000
Dolphin Encirclement	2,700
Dolphin/Yellowfin Tuna Research	250
Endangered Species Act - Columbia River BIOP implementation	1,590
Endangered Species Act - Atlantic Salmon	1,717
Endangered Species Act - Marine Mammals, Sea Turtles & Other Species	3,500
Endangered Species Act - Other Species	2,700
Endangered Species Act - Pacific Salmon Recovery	17,450
Endangered Species Act - Right Whale Activities	5,000
Endangered Species Act - Sea Turtles	5,250
Hawaiian Monk Seals	825
Hawaiian Sea Turtles	6,300
Marine Mammal Protection	7,120
Marine Mammal Protection--Ice Seals	250
Marine Mammal Protection - Joint Alaska Harbor Seal Research	900
Marine Mammal Protection - Manatee - New College	250
Marine Mammal Strandings	4,000
NEPA - Hawaiian Sea Turtle Research	1,500
Protected Species Management Base	1,349
Protected Species Management - N. Pacific Southern Resident Orca Population	750
Rancho Nuevo Sea Turtles	350
Recovery of Endangered Large Whales	1,000
Steller Sea Lion Recovery Plan - Alaska Fisheries Foundation	1,000
Steller Sea Lion Recovery Plan - Alaska Sea Life Center	5,000
Steller Sea Lion Recovery Plan	5,000
Steller Sea Lion Recovery Plan - N. Pacific Universities MM Consortium	2,500
Steller Sea Lion Recovery Plan - Univ of AK Gulf Apex Predator	1,000
Steller Sea Lions - Endangered Species Act	850
Subtotal, Science and Technology	94,705

NATIONAL MARINE FISHERIES SERVICE		FY03 Conference Agreement
Conservation and Management Services		
Base		8,878
Atlantic Salmon Recovery Plan		400
Chinook Salmon Management		150
Cook Inlet Beluga		150
Endangered Species Act - Atlantic Salmon		500
Endangered Species Act - Pacific Salmon Recovery		20,500
Endangered Species Act - Right Whale Activities		5,000
Marine Mammal Strandings - Alaska Sealife Center		1,000
Marine Mammal Strandings - Charleston Health and Risk Assessment		800
Native Marine Mammals - Alaska Eskimo Whaling Commission		500
Native Marine Mammals - Alaska Harbour Seals		150
Native Marine Mammals - Aleut Pacific Marine Resources Observers		125
Native Marine Mammals - Beluga Whale Committee		225
Native Marine Mammals - Bristol Bay Native Association		50
Protected Species Management - California Sea Lions		750
Protected Species Management - Base		7,109
Protected Species Management - NFWF Species Management		1,000
Protected Species Management - State of Maine Salmon Recovery		1,200
Southeastern Sea Turtles		300
State of Maine Recovery Plan		150
Steller Sea Lion Recovery Plan - State of Alaska		2,000
Subtotal, Conservation and Management Services		50,937
Total, Protected Resources Research and Management Services		145,642
Habitat Conservation Research and Management Services		
Base		5,858
Bay Watersheds Education and Training Program		2,500
Oxford		1,000
Blue Crab Advanced Research Consortium		2,000
Charleston Bump		450
Chesapeake Bay Multi-Species Management		500
Chesapeake Bay Oyster Research		2,000
Chesapeake Bay Studies		3,500
Center for Marine Education and Research MS		2,500
Connecticut River Partnership		300
Coral Reef		11,000
Fisheries Habit Restoration		12,000
Fisheries Habit Restoration - Bronx River Restoration		1,000
Fisheries Habit Restoration - LA DNR		1,385

NATIONAL MARINE FISHERIES SERVICE		FY03 Conference Agreement
Fisheries Habit Restoration - Pinellas County Environmental	1,500	
Habitat Conservation	9,218	
Kenai Peninsula Fish Habitat Restoration	700	
Magnuson Stevens Implementation off Alaska	850	
Marsh Restoration - NH	1,000	
Mobile Bay Oyster Recovery	1,000	
South Carolina Oyster Recovery	1,000	
Non-native Oyster Chesapeake Bay Project - VA	1,000	
Total, Habitat Conservation Research and Management Services	62,261	
Enforcement and Surveillance Services		
Enforcement		
Driftnet Act Implementation	1,375	
Enforcement and Surveillance	8,934	
Enforcement and Surveillance - Cooperative Agreements w/States	2,500	
Enforcement and Surveillance - Vessel Monitoring System	2,500	
Subtotal, Enforcement	15,309	
Partnerships in Enforcement		
Enforcement and Surveillance - Cooperative Agreements w/States	7,000	
SC DNR Research Vessel	350	
Subtotal, Partnerships in Enforcement	7,350	
Total, Enforcement and Surveillance Services	22,659	
GRAND TOTAL, NATIONAL MARINE FISHERIES SERVICE - ORF	580,066	

National Marine Fisheries Service

The conference agreement includes \$580,066,000 in new funding for the operations of the National Marine Fisheries Service (NMFS). In addition to this amount, \$19,500,000 is available from prior year unobligated balances for a total operating level of \$599,566,000.

Expand Stock Assessments. — The conferees have provided \$17,000,000 for additional stock assessments. Of the amounts provided, \$1,000,000 for implementation of a West Coast in-season harvest data collection system.

Migratory Shark Fishery. — The conferees expect NMFS to continue the funding for collaborative multi-regional biological research on highly migratory species of sharks to provide NMFS with the information necessary for effective management of the highly migratory shark fishery and conservation of imminently threatened shark fishery resources.

Cooperative Research. — In addition to the amounts shown for the national cooperative research program, \$1,700,000 is available from unobligated prior year balances.

National Fisheries Information System. – Funding of \$2,600,000 is available from prior year unobligated balances.

Information Analysis and Dissemination. – The conferees include \$21,890,000 for this program, of which \$400,000 is from unobligated prior year balances.

California Sport fishing. - The conferees have been advised that the Republic of Mexico has closed U.S. sport fishing access to the Revillagigedo Islands. The sport fishing industry provides \$5.5 million in direct revenue to Southern California and employs hundreds of people. The United States and Mexico have maintained a cooperative working relationship with regard to fishing and environmental issues, and U.S. boats have had access to the Revillagigedo Islands under permits since 1994. The conferees direct the Secretary of Commerce to investigate the reason of the withdrawal of these permits, and to report to the Committee on Appropriations no later than April 2003.

Northern Right Whale Preservation. -The conferees include a total of \$10,000,000 for North Atlantic right whale research, management activities, and Atlantic coastal States' implementation of cooperative Federal-state right whale recovery plans, such as those concluded under section 6 of the

Endangered Species Act. Funding is included to assist NMFS and its' partners to expedite right whale recovery in consultation with the Implementation Team and the Take Reduction Team.

Of the amounts provided, \$2,130,000 is for efforts to reduce ship strikes, the leading cause of death of these whales, including \$200,000 for whale detection technologies, \$560,000 is for passive acoustic technologies, \$295,000 is for active acoustic technologies, and \$200,000 is for measuring whale response to approaching vessels; \$2,060,000 is to reduce entanglement including, \$666,000 is for gear modification, \$200,000 is for Southeast disentanglement teams, \$400,000 is for the New England Aquarium efforts, and \$800,000 is for the Center for Coastal Studies. Of the funding provided for the Center, final funding allocation should be based upon recommendations of the right whale program coordinator.

Of the amounts provided for NMFS base programs, funding is expected to support priority management, enforcement, and ship strike prevention activities, including expedited development and deployment of innovative fishing gear and whale tracking technologies, improved stranding response and procedures, a whale-sighting advisory system, and a mandatory ship-reporting system. No more than 20 percent of funds provided to NMFS may be used for salaries of existing personnel.

Fisheries Research and Management. – The conferees include \$3,450,000 for the recreational fishing information network program, and expect that the Pacific, Atlantic, and Gulf States shall each receive one- third of these funds with funding for inshore recreational species assessment and tagging efforts in South Carolina.

In addition, the conferees expect that \$500,000 will be used to continue the effort to enhance the annual collection and analysis of economic data on marine recreational fishing.

As in prior fiscal years, the conferees expect the Oceanic Institute to administer funding for the Hawaii Fisheries Development and for the Hawaii Stock Management Plan.

The conferees direct that \$750,000 for the Interstate Fish Commissions be equally divided among the three commissions. The conferees also recommend that NMFS double its effort with regard to California Cooperative Fisheries Investigation cruises. Of the amounts recommended for the Stellar Sea Lion Recovery Plan, \$1,000,000 is for Alaska Fisheries Foundation to study innovative methods to deter whale

predation of sea lions. In addition, the Committee expects NOAA to continue its research initiative on Pacific decadal oscillation, predator-prey relationships with particular emphasis on killer whale predation on sea lion pups, and to explore other factors in the marine environment that may be contributing to the decline of Stellar sea lions and other marine mammal populations.

Enforcement of International Dolphin Agreement. –Although the National Marine Fisheries Service recently submitted its completed science report required by the International Dolphin Conservation Program Act, the conference agreement includes \$2,700,000 for research on dolphin encirclement in the eastern tropical Pacific (ETP). Funding is provided for additional research on herd sizes on which sets are made, additional biological sampling, impacts of cow-calf separation, and the impacts on dolphin populations of vessels with a carrying capacity of less than 400 short tons that are reportedly setting on dolphins in the ETP.

The conferees are concerned that Mexico and other non-U.S. parties to the International Dolphin Conservation Program [IDCP], of which the United States is a member, are not fully complying with the requirements of the IDCP, particularly with respect to accurate reporting of dolphin interactions and mortality. The conferees direct the Department, and in

consultation with key U.S. stakeholders, to evaluate and document any lack of compliance by the non-U.S. parties to the IDCP with its provisions, including through on-site visits and discussions with government officials, observers and others with first-hand knowledge of country practices, and to submit a written report describing the findings to the Committees on Appropriations no later than May 1, 2003. The report is expected to include an evaluation of compliance with the on-board observer program, with a focus on national observers; reporting of dolphin interactions and mortality; international requirements for vessels; and actions by parties to follow-up on infractions identified by the international review panel.

Endangered Species- Columbia River. –The conferees include \$1,590,000 to purchase two mass marking trailers for the state of Idaho.

Protected Resources Research and Management. - Of the amounts provided for Native Marine Mammals, \$100,000 is to enable the Alaska Eskimo Whaling Commission to participate in International Whaling Commission meetings.

Chesapeake Bay – Of the amounts provided under this heading, \$500,000 is for sea grass restoration. In addition, the conferees recommend that NOAA continue a micro-grant program allowing local governments and non-profit organizations to perform fisheries and shellfish restoration on the Chesapeake Bay. In addition, \$1,500,000 is for seven full-time equivalents for the Oxford Laboratory to support the NOAA Chesapeake Bay Office's fisheries, habitat restoration, and ecosystem research needs.

The conferees provide \$2,500,000 for a bay watersheds education and training program to be administered by the Chesapeake Bay Office. This initiative provides funding to establish an office in Virginia to better focus NOAA resources on Virginia issues in the Chesapeake Bay region. While cooperation between Virginia and NOAA programs is good, and significant NOAA funds are dispersed to Virginia programs, the physical distance between Norfolk and Annapolis limits the desired level of collaboration, not only with the NOAA Chesapeake Bay Office but also the Chesapeake Bay Program along with other signatories of the Chesapeake Bay agreement. This initiative guides NOAA to integrate existing staff resources across line offices and to appoint required staff to establish the program, working in concert with pertinent existing local, state, and federal offices or projects,

academic institutions, NGOs, and the public. The program should integrate existing NOAA fisheries, habitat restoration, education, hazardous spill response, coastal zone, coastal oceanography, and other significant components. Of the amounts provided, \$350,000 is available to for two full-time equivalents and administrative costs, including office space.

Enforcement and Surveillance. – The conferees continue at the fiscal year 2002 level funding for marine forensics and southeast fisheries' law enforcement, and the conferees expect cooperative laboratory activities to continue between NMFS and State and local governments and the academic community. The conferees recommend that three interstate marine fisheries commissions may be eligible to receive a portion of the Cooperative Enforcement Program funds for use in providing law enforcement coordination among the States and NMFS.

The conferees provide \$23,734,000 for the operations of the enforcement and surveillance program, of which \$14,800,000 is available from unobligated prior year balances. This is an increase of \$3,314,000 above the fiscal year 2002 level.

NMFS Facilities Maintenance – Of the amounts provided, \$325,000 is for additional costs related to the Santa Cruz laboratory.

Pacific Salmon Funding. – The conferees note the lack of accountability and performance standards for resources distributed to restore endangered and threatened salmon through the Pacific Coastal Salmon Recovery Fund. The conferees have provided hundreds of millions of dollars through this fund to be distributed among certain States and tribes for habitat restoration to assist in salmon population recovery. The conferees understand that there are other habitat restoration grant programs that fund grant proposals for the same purpose. Given the austere operating climate the conferees are working within, the conferees expect NOAA to prioritize funding from other habitat restoration funds on non-salmon related proposals.

The conferees understand the Secretary of Commerce has substantial legal obligations under the Endangered Species Act because no less than twenty-six runs of Pacific salmon are listed as endangered. Failure to make progress toward recovery under the Endangered Species Act poses adverse legal consequences for the agency. The conferees have received no

assurances from the Administration that these funds have actually contributed to the recovery of Pacific salmon populations. This is particularly important at a time when the Department is struggling to respond to a tremendous litigation caseload.

The conferees understand that some mechanism is necessary to assure legal and fiscal accountability for distribution of funds to States with listed salmon species. In addition, the conferees direct NOAA to provide an annual report to the Committee no later than April 11, of each year on the projects funded through the Pacific Salmon Recovery Fund and their projected and actual results, particularly focusing on progress toward recovery of endangered and threatened salmon species and projected ending date for funding needs based on recovery schedules. The conferees allow up to one percent of the amounts made available for the grants to the states under the Pacific Coastal Salmon Recovery Fund be made available to NOAA to accomplish this task.

Saltonstall-Kennedy – The conference agreement includes \$11,325,000 for the Saltonstall-Kennedy grant program, including prior-year unobligated funds. The conferees understand that NOAA has refocused the

S-K program to address the needs of fishing communities as defined by the Magnuson-Stevens Act. The conferees understand that there is duplication between this program and the priorities identified in the accompanying NMFS table. Given the austere budget constraints that conferees are operating within, the conferees expect NMFS to award grants based on priorities and geographic areas that are not specifically identified elsewhere in this agreement.

Therefore, the conferees expect NOAA to prioritize grant proposals relating to fishing communities in non-specified areas including, the Northern Mariana Islands, the Republic of the Marshall Islands, Republic of Palau, the Federated States of Micronesia, and other similar areas. Grants should focus on preventing over fishing, rebuilding of fisheries, and ensuring conservation, while realizing the full potential of fishery resources.

In addition, the conferees direct NOAA to assign high priority to proposals for research and education efforts directed at the protection of high-risk consumers from naturally occurring bacteria associated with raw molluscan shellfish, specifically *Vibrio vulnificus*. The conferees strongly

urge NOAA to provide no less than \$250,000 to the Gulf and Atlantic Foundation for their education efforts regarding *Vibrio vulnificus*.

Louisiana Oyster Assistance. – The conferees include \$2,000,000 for economic assistance to the oyster fishery affected by Hurricane Isidore, and Hurricane Lili. The conferees direct that funding may be used only for activities to rehabilitate oyster resources or oyster reefs damaged by the storms and for domestic product marketing and seafood promotion.

NOAA RESEARCH		FY03 Conference Outcome
Climate Research		
Laboratories & Joint Institutes		
Aeronomy Laboratory (Colorado)	8,111	
Atlantic Oceanographic and Meteorological Laboratory (Florida)	5,691	
Air Resources Laboratory (CO, ID, NC, NV, TN)	3,447	
Climate Diagnostic Center (Colorado)	2,555	
Climate Monitoring and Diagnostic Laboratory (Colorado)	5,952	
Environmental Technology Laboratory (Colorado)	243	
Forecast Systems Laboratory (Colorado)	156	
Geophysical Fluid Dynamics Laboratory (New Jersey)	14,229	
Pacific Marine Environmental Laboratory (Washington)	8,523	
Subtotal, Laboratories & Joint Institutes	48,907	
Climate & Global Change Program		
Base	68,608	
Aerosols-Climate Interaction	2,000	
Variability Beyond ENSO	1,000	
Climate Forcing Agents	1,000	
Accelerating Climate Models - IRI	2,100	
Subtotal, Climate & Global Change Program	74,708	
Climate Observations & Services		
Climate Reference Network	3,000	
Climate Data & Info and CLASS in PAC	1,000	
Baseline Operations	2,500	
Regional Assessments, Education and Outreach	2,750	
Climate Change Assessments	650	
Weather-Climate Connection	900	
Carbon Cycle	4,300	
Ocean Observations/Ocean Systems	4,500	
ARGO -Related Costs [considered part of ocean observations/systems]	10,950	
Climate Modeling Center (GFDL)	5,000	
Global Climate Atmospheric Observing System	4,000	
Subtotal, Climate Observations & Services	39,550	

NOAA RESEARCH		FY03 Conference Outcome
Climate Partnership Programs		
Central CA Ozone Study	250	
East Tennessee Ozone Study	300	
International Pacific Research Center (U of HI)	600	
Arctic Research Initiative (SEARCh)	2,000	
Subtotal, Climate Partnership Programs	3,150	
Total, Climate Research	166,315	
Weather & Air Quality Research Laboratories & Joint Institutes		
Aeronomy Laboratory (Colorado)	2,054	
Atlantic Oceanographic and Meteorological Laboratory (Florida)	3,921	
Air Resources Laboratory (CO, ID, NC, NV, TN)	2,077	
Climate Monitoring and Diagnostic Laboratory (Colorado)	166	
Environmental Technology Laboratory (Colorado)	6,864	
Forecast Systems Laboratory (Colorado)	10,646	
Geophysical Fluid Dynamics Laboratory (New Jersey)	3,077	
National Severe Storms Laboratory (Oklahoma)	7,552	
Pacific Marine Environmental Laboratory (Washington)	264	
Space Environmental Center (Colorado)	5,242	
Subtotal, Laboratories & Joint Institutes	41,863	
U.S. Weather Research Program		
Base	3,805	
Energy Security (CA)	2,000	
Targeted Wind Sensing	2,000	
Subtotal, U.S. Weather Research Program	7,805	
Weather & Air Partnership Programs		
Tornado Severe Storm Research	0	
New England Air Quality Study	1,750	
AIRMAP	5,000	
STORM	349	
Subtotal, Weather & Air Partnership Programs	7,099	
Total, Weather & Air Quality Research	56,767	

NOAA RESEARCH		FY03 Conference Outcome
Ocean, Coastal, and Great Lakes Research		
Laboratories & Joint Institutes		
Atlantic Oceanographic and Meteorological Laboratory (Florida)		3,299
Environmental Technology Laboratory (Colorado)		445
Great Lakes Environmental Research Laboratory (Michigan)		8,421
Pacific Marine Environmental Laboratory (Washington)		7,483
Subtotal, Laboratories & Joint Institutes		19,648
National Sea Grant College Program		
Base		54,410
Aquatic Nuisance Species/Zebra Mussel Research		3,000
Gulf of Mexico Oyster Initiative		1,000
Oyster Disease Research		2,000
Subtotal, National Sea Grant College Program		60,410
National Undersea Research Program (NURP)		13,550
National Institute for Undersea Science and Technology		2,500
Subtotal, National Undersea Research Program (NURP)		16,050
Ocean Exploration		13,200
NMNH East Wing (Oceans)		2,000
Ocean & Coastal Partnership Programs:		
Aquatic Ecosystems-Canaan Valley Institute		4,300
Arctic Research		2,000
Cooperative Institute for Arctic Research		350
Institute for Science Technology and Public Policy		1,000
Gulf of Maine Council		250
Lake Champlain Research Consortium		250
NISA/Ballast Water Demonstrations		350
NISA/Prevent & Control Invasive Species		800
NISA Alaska		1,500
Ocean Health Initiative		8,000
Cooperative Institute for New England Mariculture and Fisheries		3,000
Aquaculture Education Program - Cedar Point MS		1,000
Pacific Tropical Ornamental Fish		450
Tsunami Hazard Mitigation		4,300
Subtotal, Ocean & Coastal Partnership Programs		27,550
Total, Ocean, Coastal, and Great Lakes Research		138,858
High Performance Information Technology		12,800
GRAND TOTAL NOAA RESEARCH - ORF		374,740

Oceanic and Atmospheric Research

The conference agreement includes \$374,740,000 for the Oceanic and Atmospheric Research line office. This amount combined with \$4,920,000 from prior year unobliged balances provides a total program level of \$379,660,000. The conference agreement includes the following amounts for basic laboratory research and support under Oceanic and Atmospheric Research:

Climate Change Research – The conference agreement includes a total of \$166,315,000 for climate change research, including \$18,000,000 for the Climate Change Research Initiative (CCRI), as proposed. This initiative provides increases over the fiscal year 2002 level as follows: \$1,000,000 for the ocean observations/ocean systems; \$3,000,000 for ARGO-related costs; \$1,000,000 for regional assessments, education, and outreach; \$2,000,000 for research on the carbon cycle; \$5,000,000 for the climate modeling center; \$4,000,000 for the global climate atmospheric observing system; and \$2,000,000 to study the aerosols/climate interaction.

Of the amounts provided, \$67,608,000 is available for competitively awarded grants, including grants to joint institutes, as determined by the Secretary of Commerce. In addition, \$1,000,000 is provided to continue a certain program in Arizona for regional climate change research.

Of the funding provided for climate and global change activities, \$12,000,000 shall only be available after the Committees on Appropriation are provided with a plan for completion of the national assessment required in section 106 of the Global Change Research Act of 1990. The plan should include a completion date for the national assessment of no later than September 30, 2004.

National Sea Grant Program--The conference agreement includes \$62,410,000 for the Sea Grant program, of which \$2,000,000 is from prior year unobligated balances. The conference agreement does not include a proposal to transfer the program to the National Science Foundation. Instead, the recommendation appropriates the same level of funding as in fiscal year 2002 for the Sea Grant program, in accordance with the National Sea Grant Act, Public Law 89-688, as amended. Within the amounts provided, \$3,000,000 is included for zebra mussel research in accordance

with the Non-indigenous Aquatic Nuisance Prevention and Control Act; \$3,000,000 is for oyster disease research, including \$1,000,000 to continue the Gulf of Mexico initiative on oyster-related human health risks.

National Undersea Research Program (NURP)- A total of \$13,770,000 is included for the National Undersea Research Program, of which \$220,000 is from prior year unobligated balances. The conferees direct that funding is to be equally split between the east coast NURP centers and the west coast NURP centers, including the Hawaiian and Pacific Center and the West Coast and Polar Regions Center. The conferees expect level funding will be available for Aquarius, ALVIN, and program administration.

NISA Alaska. -The conferees include \$1,500,000 to address the proliferation of exotic species such as Atlantic salmon in the marine environment in the North Pacific. Of this amount, \$750,000 is for the Pacific States Marine Fisheries Commission to prevent the escapement of Atlantic salmon into Alaska streams and to address other invasive species issues including mitten crab and green crab.

NISA/Ballast Water Demonstrations - The conference agreement includes \$2,250,000 for this program, of which \$1,900,000 is from unobligated balances. The conferees expect special attention should be given to the concerns of the Chesapeake Bay and the Great Lakes.

NATIONAL WEATHER SERVICE	FY03 Conference Agreement
Operations and Research	
Local Warnings and Forecasts	
Base	505,892
Air Quality Forecasting Pilot Program	3,000
Alaska Data Buoys	1,700
Southern California Data Buoys	600
Aviation Forecast	38,096
High Resolution Temperature Forecasting	3,000
Mt. Washington Observatory	500
New England Weather Technology Initiative	500
Sustain Cooperative Observer Network	1,890
Subtotal, Local Warnings and Forecasts	555,178
Advanced Hydrological Prediction Services	6,098
WFO Maintenance	5,000
Weather Radio Transmitters Base	1,176
NOAA Weather Radio Transmitters - WY	374
North Dakota Ag Weather Network	270
Subtotal, Weather Radio Transmitters	1,820
Central Forecast Guidance	43,525
Total, Operations and Research	611,621
Systems Operation & Maintenance (O&M)	
NEXRAD	39,996
ASOS	7,650
AWIPS	36,500
NWSTG Backup - CIP	3,000
Total, Systems Operation & Maintenance	87,146
GRAND TOTAL NATIONAL WEATHER SERVICE - ORF	698,767

NATIONAL WEATHER SERVICE

The conference agreement includes total of \$698,767,000 for the operations of the National Weather Service (NWS) for fiscal year 2003.

Local Warnings and Forecasts— The conferees provide \$555,178,000 for local warnings and forecasts. Within the amounts provided, \$2,500,000 is to begin a new seven-year initiative to improve the accuracy and timeliness of aviation warnings and forecasts.

Of the amounts provided, the conferees direct the NWS to continue the Susquehanna River Basin gauges project and expand this program to include the Delaware River Basin.

The conferees have provided sufficient funding to continue operations of the Huntsville, Alabama center.

Air Quality Initiative - The conference agreement includes \$3,000,000 to complete the analysis of the air quality pilot program, finalize a concept of operations, and begin procurement of the information technology infrastructure necessary to support operational air quality forecasts by the

end of fiscal year 2004. In addition, \$3,000,000 is provided to complete the operational implementation of a temperature forecasting pilot in New England. Funding should provide for the modernization 200 meteorological observing stations and for the operational use of high-resolution forecasts models at 8 sites in fiscal year 2003.

Flash floods. – The conferees direct NOAA to commission the National Academy of Sciences to conduct a study to assess the availability, performance, and capability of the NWS NEXRAD located on Sulphur Mountain in Ventura County, California to detect heavy precipitation and aid forecasters at the Los Angeles Weather Forecast Office in providing flash flood warnings and forecasts, and on the basis of that study, to provide the Under Secretary of Commerce for Oceans and Atmosphere with a report on the performance of that mission by the NWS. The report also should include any recommendations for improving the accuracy and timeliness of flash flood warnings in and around western Los Angeles and Ventura Counties, California.

Systems Operations & Maintenance – The conference agreement includes \$87,146,000 for systems operations and maintenance.

In addition, the conferees continue direction from prior years regarding Erie, Pennsylvania and Williston, North Dakota.

NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE	FY03 Conference Agreement
Environmental Satellite Observing Systems	35,447
Satellite Command and Control	23,771
Product Processing and Distribution	59,218
Subtotal, Environmental Satellite Observing Systems	
Product Development, Readiness & Application Base	19,500
Coral Reef Monitoring	750
Joint Center/Accelerate Use of Satellites	1,500
Global Wind Demo	4,000
Subtotal, Product Development, Readiness & Application	25,750
Commercial Remote Sensing Licensing & Enforcement	1,200
Total, Environmental Satellite Observing Systems	86,168
NOAA's Data Centers & Information Services	26,750
Archive, Access & Assessment	2,000
GOES Active Archive	15,850
Archive, Access & Assessment /Climate Database Modernization	44,600
Subtotal, Archive, Access & Assessment	
Coastal Data Development	4,513
Regional Climate Centers	3,000
Environmental Data Systems Modernization	12,335
Total, NOAA's Data Centers & Information Services	64,448
TOTAL NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE	150,616

NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE

The conference agreement includes \$150,616,000 for the operational and research and development programs of the National Environmental Satellite, Data, and Information Service (NESDIS).

Environmental Satellite Observing Systems—The Committee recommendation has provided a total of \$86,168,000 for this account, including \$23,771,000 for product processing and distribution. Within the recommendation, \$1,500,000 is included for the Joint Center, and \$4,000,000 is for a global wind demonstration.

Data Centers and Information Services – The conference agreement includes \$64,448,000 for NOAA's Data Centers and Information Services, including \$15,850,000 for the climate database modernization efforts in Kentucky and West Virginia. The conferees restore funding for the regional climate centers, which was proposed for elimination. The conferees

recognize the value of NOAA climate data centers as the U.S. repository for historical environmental data.

The conferees direct NESDIS to continue fiscal year 2002 current staffing levels at the Gilmore Creek Tracking Station in fiscal year 2003. NESDIS will provide a report to the Committees on Appropriations by March 1, 2003 on how it plans to implement the new National Polar Orbiting Environmental Satellite System and its plans for the Gilmore Creek Tracking Station including staffing projections.

Within the amounts provided, \$300,000 is to conduct a study to assess the feasibility, costs, and timing issues of the Fairmont, West Virginia location as a third site for physical storage of data from the CLASS program.

PROGRAM SUPPORT	FY03 Conference Outcome
Under Secretary and Associate Offices Base	23,823
Policy Formulation and Direction Base	29,000
Educational Partnership Program/Minority Serving Institutions	15,000
National Ocean Science Competition	1,000
Total, Corporate Services	68,823
Environmental Compliance	2,000
Maintenance and Safety	3,225
Pribilof Islands Cleanup	8,000
Total, Facilities	13,225
Marine Services	
Marine Services Base (Data Acquisition)	63,829
AGATE PASS (Coastal YTT) Operations	350
Subtotal, Marine Services (including base)	64,179
Fleet Planning and Maintenance	11,120
AGATE PASS (Coastal YTT) Maintenance	250
Subtotal, Fleet Planning and Maintenance	11,370
Total, Marine Operations and Maintenance	75,549
Aircraft Services	14,800
P-3 Upgrade	1,000
Total, Aircraft Services	15,800
Total, Marine and Aviation Operations	91,349
GRAND TOTAL PROGRAM SUPPORT - ORF	173,397

PROGRAM SUPPORT

The conference agreement includes \$173,397,000 for the Program Support line office. The conference agreement continues a limitation of the administrative costs of the agency to \$243,000,000. This limitation is in response to NOAA's practice of assessing certain programs and activities for the costs of managing those programs, including grant programs.

The recommendation includes \$91,349,000 for maritime and aviation fleet maintenance and operations. The recommendation provides sufficient funding for routine maintenance of the existing NOAA fleet.

Program Review – The conferees laud the results of the Program Review Task Force (PRT) review. In fact, a number of the task forces' recommendations address longstanding concerns regarding the management of NOAA. For example, the grant process has been of particular interest to the conferees. Many of the conferees have heard complaints from grant recipients regarding unnecessary delays. For fiscal year 2002 alone, these delays contributed to \$462,566,000 in prior year funding remaining unspent.

In a number of areas, the conferees have taken into account these unobligated balances when determining the fiscal year 2003 levels for certain programs. The conferees support the efforts of NOAA management to alleviate many of these problems.

Office Relocations —The conferees direct the Department to submit quarterly reports providing details of all office moves, openings, reductions and closings, which will be considered as a reprogramming under section 605 of the Act. The conferees expect to be notified of office relocations before final agreements are made.

Pribilof Island Cleanup – The recommendation includes \$8,000,000 for Pribilof Island cleanup. In 2000, Congress passed the Pribilof Islands Transition Act which created the framework under which NOAA was to complete the environmental cleanup of the property that it currently or formerly owned on the islands, and complete the transfer of that property to the designated local entities. Concern has been raised regarding the lack of a comprehensive cleanup plan, and firm cost estimates. The conferees direct NOAA to provide timetable and cost estimates to complete a cleanup and land transfer no later than April 11, 2003.

Minority Serving Institutions. - The conferees direct that this program be extended to Native Hawaiian Serving Institutions and Alaskan Native Serving Institutions as defined in the Higher Education Act.

Facilities. -The conference agreement includes \$1,000,000 for necessary improvements to the National Aquarium. The conferees expect the Department of Commerce to prepare a 20-year plan to upgrade the facility. The conferees expect a plan to be provided to the Committees on Appropriations no later than July 1, 2003.

PROCUREMENT, ACQUISITION AND CONSTRUCTION (\$ IN THOUSANDS)	FY03 Conference Agreement
NOS	
Coastal and Estuarine Land Conservation Program (CELP) Program Management Camp Salmen, LA Staten Island Harbor program Tillamook Bay, OR Mu'olea Point, HI Meadowlands, NJ South Orange Natural Community, CA Seacoast, NH Laughlin Cove, WA Rocky Point, RI Deer Island, MS North Bass Island, OH East Sandusky Bay, OH Mill River, CT Morro Bay Dunes, CA Deer Lagoon, WA City of Two Harbors, MN Bonneau Ferry, SC Cooper River, West Branch, SC	1,445 1,350 1,947 600 2,025 3,000 2,000 2,000 200 1,900 2,200 2,000 2,500 1,000 500 600 400 10,000 2,000
Subtotal, Coastal and Estuarine Land Conservation Program	37,667
Estuarine Land Acquisition & Construction: NERRS Base Waquoit Bay NERRS Sapelo Island NERRS Conservation Institute ACE Basin Great Bay Partnership Grand Bay, MS Bonneau Ferry, SC	4,012 1,500 1,500 1,000 4,500 6,000 6,000 4,000
Subtotal, NERRS Acquisition/Construction	28,512

PROCUREMENT, ACQUISITION AND CONSTRUCTION (\$ IN THOUSANDS)		FY03 Conference Agreement
Marine Sanctuaries Construction:		
Base		5,000
National Monitor Sanctuary		5,000
Subtotal, Marine Sanctuary Construction		10,000
Other NOS Facilities:		
Kasitsna Bay Laboratory		700
Port Aransas Marine Science Institute		200
Subtotal, Other NOS Facilities		900
Total NOS - PAC		77,079
NMFS		
Aquatic Resource Program		7,000
Honolulu Lab		15,000
Kodiak Pier		2,000
Ketchikan Facilities		3,000
Total, NMFS - PAC		27,000
OAR		
Systems Acquisition		
Comprehensive Large Array Data Stewardship System		2,900
Research Supercomputing (GFDL)		7,550
Subtotal, OAR Systems Acquisition		10,450
Construction		
Barrow Planning and Design		1,000
Norman Consolidation Project		6,000
Subtotal, OAR Construction		7,000
Total, OAR - PAC		17,450

PROCUREMENT, ACQUISITION AND CONSTRUCTION (\$ IN THOUSANDS)		FY03 Conference Agreement
NWS		
Systems Acquisition		
ASOS		5,125
AWIPS		16,264
NEXRAD		8,260
WFO Huntsville, AL		3,000
NWSTG Backup		0
Radiosonde Network Replacement		6,989
Weather and Climate Supercomputing		21,160
Subtotal, NWS Systems Acquisition		60,798
Total, NWS - PAC		60,798
NESDIS		
Systems Acquisition		
Geostationary Systems		171,391
Polar Orbiting Systems		322,538
Coastal Remote Sensing - CSC		500
Subtotal, NESDIS Systems Acquisition		494,429
Total, NESDIS - PAC		494,429
Program Support		
CAMS		10,000
Herbert Hoover Infrastructure Repairs (Educational Outreach)		1,000
G-IV Instrumentation Upgrades		8,400
Fleet Replacement		
Small Waterplane Area Twin Hull Vessel		9,000
Fisheries Research Vessel Replacement #2		50,874
Hydrographic Equipment Upgrades		6,200
Subtotal, OMAO Fleet Replacement		66,074
Total, Program Support - PAC		85,474
GRAND TOTAL PAC		762,230

PROCUREMENT, ACQUISITION AND CONSTRUCTION

(Including Transfers & Funds)

The recommendation includes a programmatic level of \$832,230,000 for fiscal year 2003, of which \$762,230,000 is from new appropriations and \$70,000,000 is from prior year unobligated balances. The recommendation assumes \$3,200,000 from prior year deobligations. This account funds capital assets acquisition activities, including system and land acquisition, marine sanctuary and estuarine reserve construction, aircraft and vessel systems, and equipment.

The conferees have amended section 204 regarding reprogramming requirements to include all increases and decreases affecting capital assets. The following distribution reflects the activities funded within this account:

Coastal and Estuarine Land Conservation Program (CELP) – The conferees include \$37,667,000 for the land acquisition program. The conferees understand that regulations for this program have not yet been finalized. For the priorities identified by the conferees, the interim regulations will apply as in fiscal year 2002, including funding and match requirements. This program is intended to protect those coastal and

estuarine areas with significant conservation, recreation, ecological, historical, or aesthetic value.

Marine Sanctuaries Construction – Of the amounts provided, \$5,000,000 is for the final Federal costs of the efforts relating to the National Monitor sanctuary center.

National Marine Fisheries Service – The conferees continue the aquatic resource program at the level of \$7,000,000.

Construction –The conferees remain concerned that there is no long-term facility plan, including maintenance schedule for NOAA. A five-year plan for such purposes was requested during the fiscal year 2003 budget hearing before the House. To date, no plan has been provided. Further, there have been two separate incidents where NOAA has changed the scope of a funded project, including the location, without prior notification to the Committees on Appropriations. The conferees expect a final plan no later than June 30, 2003.

Geostationary Systems – Under this heading, the conferees include \$221,391,000, as requested, of which \$50,000,000 is to be derived from unobligated prior year balances. The conferees understand that the launch readiness date for N, O, and P, has slipped by one year. In addition, the conferees understand that the earliest available launch date for the GOES-R series has been revised from 2010 to 2012. The most recent data available to the conferees reflect a total \$55,400,000 available from unobligated prior year balances to be used in fiscal year 2003 therefore, \$5,400,000 continues to be available for any unforeseen purposes.

Polar Orbiting Systems – Under this heading, the conferees include \$347,538,000, as requested, of which \$25,000,000 is to be derived from unobligated prior year balances. The conferees understand that NOAA expects a ten-month delay in launching NOAA-M as a result of the unavailability of a launch pad site.

The National Polar Orbiting Operational Environmental Satellite System (NPOESS) is a joint program equally funded by the Department of Commerce and the Department of Defense based upon a 1994 decision to integrate civil and military polar-orbiting meteorological satellites systems into a single national system. This decision created a 50/50 cost-sharing

partnership between the two departments. Due to the concern raised by NPOESS program managers, the conference agreement continues language formalizing this cost-sharing partnership as in the fiscal year 2002. The conferees are aware that NOAA did not obligate \$10,200,000 of the amounts provided in fiscal year 2002 for NPOESS as a result of Department of Defense obligation decisions in fiscal year 2002.

Fleet Replacement- The conference agreement includes \$50,874,000 for the second fisheries vessel. This vessel would replace the 40-year old ALBATROS IV, as proposed. In addition, \$9,000,000 is provided to continue construction of small waterplane area twin hull vessel to be homeported in New Castle, New Hampshire.

Hurricane Surveillance Aircraft- The conference agreement includes \$8,400,000 for necessary instrumentation upgrades to the Gulfstream IV to improve storm-tracking forecasts, as proposed.

PACIFIC COASTAL SALMON RECOVERY FUND

The conference agreement includes \$130,000,000 under this heading. A total of \$40,000,000 is provided to fulfill the obligation of the United States under the 1999 Pacific Salmon Treaty between the United States and Canada. Specifically, \$25,000,000 is included to complete the capitalization of the Northern Boundary Fund, and \$15,000,000 is included to complete the capitalization of the Southern Boundary Fund. In addition, \$90,000,000 is provided for grants to California, Oregon, Washington, Alaska, and coastal and river tribes for habitat restoration.

Of the amounts provided for the states, \$28,000,000 is for the State of Washington, \$22,000,000 is for the State of Alaska, \$14,000,000 is for the State of Oregon, \$14,000,000 is for the State of California, \$9,000,000 is for the Pacific Coastal tribes, and \$3,000,000 is for the Columbia River tribes.

Of the funds provided for the State of Alaska, \$5,000,000 is for the Arctic Yukon-Kushokwim Sustainable Salmon initiative, \$1,000,000 is for construction of salmon mitigation passes, \$1,000,000 is for the Cook Inlet Fishing Community Assistance Program, \$500,000 is for the Yukon River Drainage Association, \$500,000 is for Fort Richardson fisheries, \$500,000 is

for Elmendorf AFB hatcheries, \$500,000 is for Fort Wainwright fisheries, \$450,000 is for universal quality standards, \$450,000 is for competitive analysis of global salmon, \$250,000 is to restore the king salmon runs in Coffman Cove, \$250,000 is to enable the State of Alaska to participate in discussions regarding Columbia River hydro system management, \$2,000,000 is to restore salmon runs at Chester Creek, Ship Creek, and Campbell Creek in Anchorage, \$1,000,000 is to restore salmon runs in Seward, Alaska, and \$100,000 is for the United Fishermen of Alaska's subsistence program.

Of the funds provided for the State of Washington, \$4,000,000 is for the Washington State Department of Natural Resources and other State and Federal agencies for purposes of implementing the State of Washington's Forest and Fish Report. The funding shall be spent in accordance with the terms and conditions of the Forest and Fish Report and consistent with the requirements of the Endangered Species and Clean Water Acts. Further, \$1,590,000 is for the purchase of two new mass marking trailers.

Of the funds provided to the State of Oregon, \$1,100,000 is for conservation mass marketing at the Columbia River Hatcheries; and \$2,185,000 is for the purchase of two new and one used mass marking trailers.

Bill language is included designating the entire amount under the conservation category.

Fishermen's Contingency Fund

The conference agreement includes a total program level of \$2,376,000, of which \$2,375,000 is from unobligated prior year funds.

The Fishermen's Contingency Fund provides compensation to U.S. fishermen for damage or loss of fishing gear and any resulting loss because of natural or man-made obstructions related to oil and gas exploration, development, and production on the Outer Continental Shelf.

FOREIGN FISHING OBSERVER FUND

The conference agreement includes \$1,833,000 under this heading, of which \$1,832,000 is from unobligated prior year funds.

Fees paid into the Fund are collected from owners and operators of certain foreign fishing vessels that fish within the United States Fishery

Conservation Zone and are intended to be used by the Secretary of Commerce to finance the cost of placing United States observers aboard such fishing vessels.

FISHERIES FINANCE PROGRAM ACCOUNT

The conferees note that an appropriation is not necessary for the fisheries finance program account. Of the loan authority provided through bill language, \$5,000,000 is for entry level and small vessel individual fishery quota [IFQ] obligation guarantees in the halibut and sablefish fisheries off Alaska pursuant to section 1104A(a)(7) of the Merchant Marine Act of 1936. These funds are provided for IFQ loans in accordance with section 303(d)(4) of the Magnuson-Stevens Act and section 108(g) of the Sustainable Fisheries Act.

In addition, \$59,000,000 is for Traditional direct loan authority, of which \$40,000,000 may be used for the direct loans to the United States distant water tuna fleet.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The conference agreement includes \$44,954,000 for costs of managing the Department of Commerce. The recommendation includes \$4,776,000 for the recurring costs for guard contracts, security equipment upgrades and an emergency communication system for the Herbert Clark Hoover Building originally funded with fiscal year 2002 emergency supplemental appropriations; \$1,590,000 is for IT security increases; and \$1,200,000 is for continuity of operation efforts.

Telework Programs- The conference agreement includes language, under section 208 to allow the Department of Commerce to carryover unused funds into the next fiscal year, saved as a consequence of the Department's implementation of telecommuting programs. Telecommuting programs offer the opportunity for cost-savings as well as increased productivity and employee morale. By allowing the Department to keep the savings from telecommuting, there should be a strong incentive for the Department to increase its number of telecommuters, as required by section

359 of Public Law 106-346. Telecommuting also can help improve traffic congestion, provide energy savings and improve air quality.

This appropriation provides for the Office of the Secretary and for staff offices of the Department, which assist in the formulation of policy, management, and administration.

Office Relocations —The conference agreement continues to direct the Department to submit quarterly reports providing details of all office moves, opening, reductions and closing, which will be considered as a reprogramming under section 605 of the Act.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes \$20,635,000 for the Commerce Department's Office of Inspector General for fiscal year 2003.

General Provisions -- Department of Commerce

The conference agreement includes the following General Provisions for the Department of Commerce:

Section 201. – The conference agreement includes section 201, included in both the House and Senate, regarding certification of advanced payments.

Section 202. – The conference agreement includes section 202, included in both the House and Senate, allowing funds for hire of passenger motor vehicles, and for services, uniforms and allowances as authorized by law.

Section 203. – The conference agreement includes section 203, included in both the House and Senate, making permanent a provision prohibiting of funds to be used to support hurricane reconnaissance aircraft and activities that are under the control of the United States Air Force or the United States Air Force Reserve. The House section did not propose to make this section permanent.

Section 204. – The conference agreement includes section 204, included in both the House and Senate, regarding transfer authority among

Commerce Department appropriation accounts. The language also makes the transfers subject to the Committee's standard reprogramming procedures, including the acquisition and disposal of capital assets. The Senate did not contain a provision on the matter of capital assets.

Section 205. – The conference agreement includes section 205, included in the House, requiring that any costs incurred by the Department in response to funding reductions shall be absorbed within the total budgetary resources available to the Department and shall not be subject to the reprogramming limitations in this Act. The Senate did not contain a similar provision.

Section 206. – The conference agreement includes section 206, included in both the House and Senate, making permanent a provision to allow the Secretary to award contracts for certain mapping and charting activities in accordance with the Federal Property and Administrative Services Act. The House did not make the provision permanent.

Section 207. – The conference agreement includes section 207, included in both the House and Senate, allowing the Department of Commerce franchise fund to retain a percentage of earnings from services provided for capital investments.